

1 LYNN H. PASAHOW (CSB NO. 054283)
lpasahow@fenwick.com
2 J. DAVID HADDEN (CSB NO. 176148)
dhadden@fenwick.com
3 DARREN E. DONNELLY (CSB NO. 194335)
ddonnelly@fenwick.com
4 RYAN A. TYZ (CSB NO. 234895)
rtyz@fenwick.com
5 FENWICK & WEST LLP
Silicon Valley Center
6 801 California Street
Mountain View, CA 94041
7 Telephone: (650) 988-8500
Facsimile: (650) 938-5200

8 Attorneys for Defendants
9 Amazon.com, Inc. and Borders Group, Inc.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 SBJ IP HOLDINGS 1, LLC.,

15 Plaintiff,

16 v.

17 NETFLIX, INC., AMAZON.COM, INC.,
18 and BORDERS GROUP, INC.,

19 Defendant.
20
21
22
23
24
25
26
27
28

Case No. 3:08-mc-80109 SI

(U.S.D.C. Eastern District of Texas)

**DEFENDANTS' MISCELLANEOUS
ADMINISTRATIVE REQUEST TO FILE
UNDER SEAL**

Judge: The Honorable Susan Illston

DEFENDANTS' ADMINISTRATIVE
REQUEST TO FILE UNDER SEAL

CASE NO. 3:08-mc-80109 SI

Pursuant to Civil Local Rules 7-10(b) and 79-5, Defendants hereby move to file under seal (1) Exhibit 2 of the Declaration of Ryan Tyz in Support of Defendants' Motion to Compel Non-Party Vignette Corporation, (2) the excerpts from Exhibit 2 in Defendants' Notice of Motion and Motion to Compel Non-Party Vignette Corporation, and (3) the excerpts from Exhibit 2 in the Declaration of Ryan Tyz in Support of Defendants' Motion to Compel Non-Party Vignette Corporation,

Exhibit 2 has been designated as "Confidential" by counsel for Vignette Corporation pursuant to the interim Protective Order in this case and/or Eastern District of Texas Patent L.R. 2-2. In accordance therewith, which directs the parties to file such materials under seal, Defendants respectfully requests that the Court allow it to file the above-referenced documents under seal per Civil L.R. 79-5.

Dated: June 13, 2008

FENWICK & WEST LLP

By: /s/ Ryan Tyz

Ryan Tyz

LYNN H. PASAHOW (CSB NO. 054283)
lpasahow@fenwick.com
J. DAVID HADDEN (CSB NO. 176148)
dhadden@fenwick.com
DARREN E. DONNELLY (CSB NO. 194335)
ddonnelly@fenwick.com
RYAN TYZ (CSB NO. 234895)
rtyz@fenwick.com

FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

Attorneys for Defendants
Amazon.com, Inc. and Borders Group, Inc.

1 LYNN H. PASAHOW (CSB NO. 054283)
lpasahow@fenwick.com
2 J. DAVID HADDEN (CSB NO. 176148)
dhadden@fenwick.com
3 DARREN E. DONNELLY (CSB NO. 194335)
ddonnelly@fenwick.com
4 RYAN A. TYZ (CSB NO. 234895)
rtyz@fenwick.com
5 FENWICK & WEST LLP
Silicon Valley Center
6 801 California Street
Mountain View, CA 94041
7 Telephone: (650) 988-8500
Facsimile: (650) 938-5200

8 Attorneys for Defendants
9 Amazon.com, Inc. and Borders Group, Inc.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 SBJ IP HOLDINGS 1, LLC.,

15 Plaintiff,

16 v.

17 NETFLIX, INC., AMAZON.COM, INC.,
18 and BORDERS GROUP, INC.,

19 Defendant.

Case No. 3:08-mc-80109 SI

(U.S.D.C. Eastern District of Texas)

**[PROPOSED] ORDER GRANTING
DEFENDANTS' ADMINISTRATIVE
REQUEST TO FILE UNDER SEAL**

Judge: The Honorable Susan Illston

21
22
23
24
25
26
27
28
[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO
COMPEL

CASE NO. 3:08-mc-80109 SI

1 The Court having reviewed Defendants' Administrative Request to File Documents Under
2 Seal, hereby, for good cause shown, orders that the following documents shall be sealed:

3 1. Exhibit 2 to the Declaration of Ryan Tyz in Support of Defendants' Motion to
4 Compel Vignette Corporation's Compliance with Request No. 6 of Subpoena *Duces Tecum*;

5 2. Defendants' Notice of Motion and Motion to Compel Non-Party Vignette
6 Corporation's Compliance with Request No. 6 of Subpoena *Duces Tecum* (as redacted); and

7 3. The Declaration of Ryan Tyz in Support of Defendants' Motion to Compel
8 Vignette Corporation's Compliance with Request No. 6 of Subpoena *Duces Tecum* (as redacted).

9 **IT IS SO ORDERED**

10
11
12 Dated: _____

The Honorable Susan Illston
United States District Judge

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW